

AGENDA
PERSONNEL BOARD MEETING

August 8, 2008
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held July 18, 2008
- ***
 - A. Discussion of additional language in minutes
 - B. Minutes Signed
3. Executive Director and Secretary's Report
 - A. Approval of Annual Report
4. Report of the Personnel Cabinet
5. **Petitioned Position(s)** -- None
6. **Oral Arguments**
 - A. Robert Bickett v. Justice and Public Safety Cabinet (Request by Appellee)
(PASSED TO SEPTEMBER MEETING BY AGREEMENT)
 - B. William Moore v. Justice and Public Safety Cabinet (Request by Appellee)
 - C. Troy Smith v. Cabinet for Health and Family Services (Request by Appellant)
7. **Motions** - None
8. **Investigations**
 - A. Transportation Cabinet Reorganization – Request by Randall Arvin***
 - Response by Personnel Cabinet (Hon. Daniel F. Egbers)
 - Response of Transportation Cabinet (Hon. Robert L. Russell)
9. **Closed Session**

10. **Cases to be Decided**

- A. Robert Bickett v. Justice and Public Safety Cabinet (Involuntary transfer, retaliation – sustained as to involuntary transfer, dismissed as to retaliation)
--Appellee's Exceptions and Request for Oral Argument
(Passed to September meeting by Agreement)
- B. William Moore v. Justice and Public Safety Cabinet (Dismissal, drug possession
-- Sustained to the extent, changed to 30-day suspension)
--Appellee's Exceptions and Request for oral Argument
--Appellant's Reply to Exceptions
- C. Troy Smith v. Cabinet for Health and Family Services (Dismissal, misconduct – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
- D. Terry Day and William Cornelius, Jr. v Transportation Cabinet and Scott Huddleston (Promotion – appeal dismissed as to Day, sustained to the extent as to Cornelius) **Deferred from July meeting**
- E. David Waller v. Finance and Administration Cabinet (Written reprimand – appeal sustained) **Deferred from July meeting**
- F. George Fortune, Larry Epling, Sam Ezelle and James Leathers v. Cabinet for Health and Family Services and Personnel Cabinet (Wage disparity – appeals dismissed)
- G. Emmitt Hall v. Transportation Cabinet (Dismissal, violation of drug policy – appeal dismissed)
- H. Dwight Mitchell Thompson and Harold Gordon Staton v. Bath County Road Department – (Appeals dismissed, no jurisdiction)
- I. James White v. Cabinet for Health and Family Services (10-day suspension for misconduct – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed None

11. **Withdrawals**

- A. Rhonda L. Muncy v. Cabinet for Health and Family Services
- B. Kenneth Riley v. Transportation Cabinet
- *** C. Kandra Collins v. Justice and Public Safety Cabinet and Personnel Cabinet
- *** D. Michael Phelps v. Personnel Cabinet
- *** E. Dinah Smiley v. Personnel Cabinet

12. **Settlements**

- *** A. Robert Tim Childers v. Justice and Public Safety Cabinet (3 appeals)
- *** B. Robert Marango v. Tourism, Arts and Heritage Cabinet
- *** C. LaDawn Perkins v. Justice and Public Safety Cabinet

13. Other